

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JOSHUA MARK HATFIELD #357290,

Plaintiff,

v.

No.: 3:11-cv-253
(VARLAN/GUYTON)

IRWIN COUNTY DETENTION CENTER,
BLOUNT COUNTY JUSTICE CENTER,
JEFFERSON COUNTY JUSTICE CENTER,
and JEFFERSON COUNTY SHERIFF'S DEPT.,

Defendants.

MEMORANDUM AND ORDER

This *pro se* prisoner's civil rights complaint under 42 U.S.C. § 1983 was dismissed for failure to state a claim upon which relief may be granted because the facilities that plaintiff named as defendants are not suable entities under § 1983. Plaintiff has now filed two motions.

Plaintiff has filed a motion for leave to file an amended complaint to add as defendants the Federal Bureau of Prisons and the Tennessee Department of Correction. Neither the Federal Bureau of Prisons nor the Tennessee Department of Correction are suable entities within the meaning of 42 U.S.C. §1983. *See, e.g., Alabama v. Pugh*, 438 U.S. 781, 782 (1978) ("suit against the State and its Board of Corrections is barred by the Eleventh Amendment"); *United States v. Orleans*, 425 U.S. 807, 814 (1976) (claims against the United

States, which would included its agencies, are barred by sovereign immunity). Plaintiff's motion for leave to file an amended complaint [Doc. 7] is **DENIED**.

Plaintiff has also filed a motion to alter or amend the judgment, in which he asks the Court to order that the dismissal is without prejudice. The motion [Doc. 8] is **GRANTED**, to the extent plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE**.

E N T E R :

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE